

**IN THE UNITED STATE DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

RICHARD NOWAK and LUCINDA L.  
WILLIAMS

Plaintiffs,

v.

DAVID M. BORTLE, JR and AUDREY  
ROSENBALM

Defendants.

C.A. NO.: 1:08-cv-379

JURY OF 12 DEMANDED

**NOTICE OF RECORDS DEPOSITION\***

TO: Cynthia H. Pruitt, Esquire  
Doroshow, Pasquale, Krawitz & Bhaya  
1202 Kirkwood Highway  
Wilmington, DE 19805-2120

**PLEASE TAKE NOTICE** that the undersigned will take the records deposition\* only of the following persons on September 30, 2008 at 10:00 a.m. in the office of Bifferato Gentilotti LLC, 800 N. King Street, Wilmington, DE 19801:

Christiana Care Health Services  
PO Box 1668  
Wilmington, DE 19899-1668

Delaware Family Eye Center  
94 Omega Drive #94A  
Newark, DE 19713

Eye Physicians and Surgeons, P.A.  
1207 North Scott Street  
Wilmington, DE 19806

Delaware Back Pain & Sports  
Rehabilitation Centers  
Foult Road Office Park Plaza  
2006 Foult Road, Suite-B  
Wilmington, DE 19810

BIFFERATO GENTILOTTI LLC

/s/ Maria J. Poehner

Maria J. Poehner (Del. ID #3213)  
800 N. King Street, 1<sup>st</sup> Floor  
Wilmington, DE 19801  
(302) 429-1900  
Attorney for Defendants

Date: September 5, 2008

\*DUCES TECUM - Deponent is to bring with them all documents in their possession pertaining to Richard Nowak, including all employment records, file notes, medical records, physicians handwritten notes, typed office notes, patient information reports, diagnostic testing, prescriptions, billing ledgers, etc. Please do not bring with you or deliver any x-ray films, MRI films or other such films, but only written reports of such radiographic studies. **Deponent's appearance at the scheduled deposition will be waived if copies of the subpoenaed documents are furnished to Maria J. Poehner, Esquire, on or before September 30, 2008.**

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FOR THE DISTRICT OF DELAWARE**

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**CERTIFICATE OF SERVICE**

I, Maria J. Poehner, Esquire, hereby certify that a true and correct copy of the attached Notice of Records Deposition was served via Lexis/Nexis Electronic Filing this 5<sup>th</sup> day of September, 2008 upon the following:

Cynthia H. Pruitt, Esquire  
Doroshow, Pasquale, Krawitz & Bhaya  
1202 Kirkwood Highway  
Wilmington, DE 19805-2120

BIFFERATO GENTILOTTI LLC

/s/ Maria J. Poehner

Maria J. Poehner (Del. ID #3213)  
800 N. King Street, 1<sup>st</sup> Floor  
Wilmington, DE 19801  
(302) 429-1900  
Attorney for Defendants